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The Hon. Brian A. Tsuchida

DEC 21 2015

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

CASE NO.

**MJ15-579**

COMPLAINT for VIOLATION

v.

DEONTE RASUL-CHIONO,  
Defendant.

BEFORE United States Magistrate Judge BRIAN A. TSUCHIDA, Seattle, Washington.

The undersigned complainant being duly sworn states:

**COUNT 1**

**Felon in Possession of Firearm**

On or about December 3, 2015, in the City of Federal Way, within the Western District of Washington, DEONTE RASUL-CHIONO, having been convicted of the following crimes punishable by imprisonment for a term exceeding one year, to wit:

- a. *Second Degree Assault and First Degree Unlawful Possession of a Firearm*, in King County Superior Court, Washington, under case number 12-1-000639-20 on or about July 12, 2013;
- b. *First Degree Unlawful Possession of a Firearm*, in King County Superior Court, Washington, under case number 11-1-000212-34 on or about May 19, 2011; and

Complaint: DEONTE RASUL-CHIONO - 1

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1 c. *Second Degree Assault*, in King County Superior Court, Washington,  
2 under case number 10-1-000854-39 on or about October 18, 2010;  
3 did knowingly possess, in and affecting interstate and foreign commerce, the following  
4 firearm, to wit: a Kel Tec P32 semi-automatic pistol, bearing serial number CQK98,  
5 which has been shipped and transported in interstate and foreign commerce.

6 All in violation of Title 18, United States Code, Section 922(g)(1).

7  
8 **The undersigned, Beau Jacobsen, complainant being duly sworn states:**

9 1. I am a Special Agent (S/A) with the United States Department of Justice  
10 (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so  
11 employed since March 24, 2014. I am an "investigative or law enforcement officer of the  
12 United States" within the meaning of Title 18, United States Code, Section 2510(7), that  
13 is, an officer of the United States who is empowered by law to conduct investigations of,  
14 and to make arrests for, offenses enumerated in Title 18, United States Code, Section  
15 2516. I am currently assigned to the Seattle Field Division Headquarters, in Seattle,  
16 Washington where your affiant is assigned to the Violent Gang Task Force (VGTF) and  
17 Puget Sound Regional Crime Gun Task Force (PSRCGTF). In this capacity, I conduct  
18 narcotics and firearm investigations, and enforce federal criminal laws relating to the  
19 possession and trafficking of firearms and narcotics by gang members with extensive  
20 criminal histories. Prior to my employment with ATF, I was a commissioned police  
21 officer in the State of Colorado with the Aurora Police Department from 2011-2014  
22 where I served on the Gang Intervention Unit, and a commissioned police officer with the  
23 Lakewood Police Department from 2006-2011 where I served Special Enforcement  
24 Team/Gang Unit.

25 2. I received formal training in the Federal Law Enforcement Training Center  
26 in Glynnco, Georgia, Criminal Investigators Training Program, which familiarized me  
27 with basic narcotic investigations, drug identification and detection, familiarization with  
28 United States narcotics laws, financial investigations and money laundering,

1 identification and seizure of drug-related assets, organized crime investigations, physical  
2 and electronic surveillance, and undercover operations. In addition, I successfully  
3 completed a fourteen week ATF Special Agent Basic Training course in Glynco,  
4 Georgia, which included comprehensive, formalized instruction in, among other things:  
5 firearms identification, firearms trafficking, arson and explosives, and tobacco and  
6 alcohol diversion. I have also received several hours of specialized training in  
7 surveillance techniques, narcotic investigations, gang investigations, and was a certified  
8 crime scene investigator with the Lakewood Police Department.

9       3. This affidavit is made based upon my personal knowledge, training,  
10 experience and investigation, as well as upon information provided to me and my review  
11 of reports prepared by other law enforcement personnel. This affidavit is made for the  
12 purpose of establishing probable cause for this Complaint and thus does not include each  
13 and every fact known to me concerning this investigation.

14       4. On November 22, 2015, Seattle Police Department officers responded to  
15 Harvard Avenue & East Pike Street at approximately 0104 hours on a report of a  
16 shooting. During this incident five gunshot victims were located on scene and  
17 transported to local hospitals. None of the injuries were life-threatening. At the scene,  
18 officers interviewed several witness and learned the suspect vehicle was possibly a silver  
19 Mazda 6 with the driver side mirror and front bumper damage.

20       5. SA Jacobsen was advised by Seattle Police Department detectives that they  
21 believed, based on surveillance video, that the vehicle used in the shooting was a 2007  
22 silver Mazda sedan bearing Washington license plate ARE1194. SA Jacobsen was also  
23 advised that Deonte RASUL-CHIONO (xx-xx-1992) was a person of interest in this  
24 shooting incident.

25       6. On December 2 and 3, 2015 members of Puget Sound Regional Crime Gun  
26 Task Force conducted operations in an attempt to contact both Deonte RASUL-CHIONO  
27 and Malcolm SIMON (xx/xx/1991). Prior to these operations briefings were held where  
28 all law enforcement involved was notified that both males had extensive criminal

1 histories which included convictions for Felony Assault, Robbery, and Unlawful  
2 Possession of a Firearm. All law enforcement involved was advised both males should  
3 be considered armed and dangerous given their possible recent activity related to  
4 shooting incidents.

5 7. RASUL-CHIONO is on active Washington State DOC supervision after  
6 having been sentenced to 18 months Community Custody Supervision under King  
7 County Superior Court cause number 12-1-06392-0 for *Assault in the Second Degree*.  
8 Task Force Officer (TFO) Kris Rongen received information that RASUL-CHIONO had  
9 a meeting with his DOC Officer set for December 2, 2015, between 1200 and 1500 hours.

10 8. On December 2, 2015, SA Beau Jacobsen and other ATF, SPD, and DOC  
11 personnel conducted a surveillance operation at Washington Department of Corrections  
12 located at 15111 8<sup>th</sup> Avenue Southwest, No. 202, Burien, Washington.

13 9. At approximately 1200 hours, Detective Sausman observed RASUL-  
14 CHIONO walking southbound in the 15000 block of 8<sup>th</sup> Avenue SW, WA. Soon after  
15 SA Jacobsen observed a 2007 silver Mazda sedan with license WA/ARE1194 in the  
16 parking lot of an apartment complex at 809 Southwest 149<sup>th</sup> Street in Seattle, WA. SA  
17 Jacobsen also observed heavy damage to the driver side mirror area on the vehicle which  
18 matched the description of the shooting suspect vehicle. This location is several blocks  
19 to the north of the Washington Department of Correction Office. Agents and Officers  
20 then set up surveillance of the vehicle. RASUL-CHIONO was soon observed walking  
21 northbound on 8<sup>th</sup> Avenue SW toward where the silver Mazda was parked.

22 10. Detective Agate contacted Detective Hagerty, the lead investigator for the  
23 original shooting, via phone. Detective Hagerty advised he wanted the vehicle stopped  
24 and detained for a search warrant. When RASUL-CHIONO got back into the front  
25 passenger seat of the Mazda, SA Jacobsen and TFO Rongen contacted the vehicle and the  
26 occupants inside. There were four occupants in the vehicle: RASUL-CHIONO, Toni  
27 BANKS (xx-xx-90), Carlos FOSTER (xx-xx-00), and Zanaiba RASUL (xx-xx-73). All  
28

1 occupants were released soon after being briefly interviewed by Seattle Police detectives.  
2 The vehicle was impounded pending a search warrant.

3 11. On December 3, 2015, SA Beau Jacobsen and other ATF, SPD, and DOC  
4 personnel conducted an arrest operation for Malcolm SIMON who had an active warrant  
5 for his arrest out of Washington Department of Corrections since October 30, 2015.  
6 SIMON is a known gang member who is also a person of interest in a number of shots-  
7 fired incidents in Seattle over the past few months. Both SIMON and RASUL-CHIONO  
8 are believed to belong to the same gang and are known associates. Both SIMON and  
9 RASUL-CHIONO had either been arrested or contacted several times while in possession  
10 of firearms.

11 12. Prior to this operation TFO Rongen had conducted surveillance at 32123  
12 19<sup>th</sup> Lane Southwest, No. 135, Federal Way, WA. This is an address SIMON had told  
13 WADOC he had stayed at prior to his warrant being issued. On November 23, 2015,  
14 TFO Rongen had observed SIMON leaving the apartment at approximately 1100 hours.  
15 SIMON entered a Lexus, license plate WA/AXB4395, which was occupied by two other  
16 males. TFO Rongen followed the car for several miles and then terminated surveillance.

17 13. On December 3, 2015, the Puget Sound Regional Crime Gun Task Force  
18 attempted to arrest SIMON at his address located at 32123 19<sup>th</sup> Lane Southwest, No. 135  
19 in Federal Way, WA. Surveillance began at 0945 hours. At approximately 1100 hours  
20 SIMON was observed walking from the road westbound in the parking lot to his  
21 apartment. By the time law enforcement identified SIMON he was too close to his  
22 apartment door for the arrest team to safely contact him.

23 14. Officers and agents continued to conduct surveillance at the apartment as  
24 they waited for SIMON to exit. At approximately 1305 hours, a gray Chevy vehicle  
25 bearing CA/7LNP622 arrived and parked under the carport near SIMON's building. This  
26 vehicle was occupied by two black males. Once the vehicle parked the front seat  
27 passenger got out and SIMON came down from his apartment where he met up with this  
28 passenger.

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1       15. At this time the arrest team moved in to arrest SIMON. As SA Jacobsen,  
2 SA Cole, SA Hunt, and TFO Rongen contacted the three males SA Jacobsen immediately  
3 recognized the male SIMON had been speaking to outside the vehicle as RASUL-  
4 CHIONO. Based on the aforementioned criminal histories of SIMON and RASUL-  
5 CHIONO, their recent believed involvements in violent shootings incidents, and wearing  
6 baggy clothing all three individuals were detained in handcuffs and frisked for weapons.

7       16. As TFO Rongen was frisking RASUL-CHIONO he felt what he  
8 immediately believed was a handgun in his front right pocket of his jeans. At this time  
9 TFO Rongen called out "Gun" to notify officers/agents on scene of the weapon. TFO  
10 Rongen reached into RASUL-CHIONO's right front pocket and removed a black Kel Tec  
11 model P32 .32 caliber semi-automatic pistol bearing serial number CQK98. This weapon  
12 was after made safe by Officer Robert Thomas who observed that it was loaded with  
13 seven rounds of ammunition in the magazine. TFO Rongen read RASUL-CHIONO his  
14 *Miranda* Rights. RASUL-CHIONO stated he understood his rights but chose not to  
15 speak about the weapon recovered on his person. RASUL-CHIONO and SIMON were  
16 booked at SCORE jail.


17       17. Prior to December 3, 2015, had been convicted of at least the following  
18 crimes punishable by a term of imprisonment exceeding one year:

- 19           a. *Second Degree Assault and First Degree Unlawful Possession of*  
20           *a Firearm*, in King County Superior Court, Washington, under  
21           case number 12-1-000639-20 on or about July 12, 2013;
- 22           b. *First Degree Unlawful Possession of a Firearm*, in King County  
23           Superior Court, Washington, under case number 11-1-000212-34  
24           on or about May 19, 2011; and
- 25           c. *Second Degree Assault*, in King County Superior Court,  
26           Washington, under case number 10-1-000854-39 on or about  
27           October 18, 2010.

28       18. SA Wallace with the Bureau of Alcohol, Tobacco, Firearms, and  
Explosives, has received specialized training in the recognition and identification of

1 firearms and ammunition and their place of manufacture. On December 11, 2015, SA  
2 Wallace reviewed information on the Kel Tec model P32 .32 caliber semi-automatic  
3 pistol bearing serial number CQK98. She determined it this is a firearm according to 18  
4 U.S.C. 921(a)(3), and that it was not manufactured in the State of Washington. As a  
5 result, the firearm must have traveled in or affected interstate or foreign commerce in  
6 order to be possessed in the state of Washington.

7 19. Based on the aforementioned facts, I believe that Deonte RASUL-CHIONO  
8 committed the crimes of being a *Felon in Possession of a Firearm*, in violation of Title  
9 18, United States Code, Section 922(g)(1).

10  
11  
12  #5362  
13 BEAU JACOBSEN, Complainant  
14 Special Agent, ATF  
15

16  
17 Based on the Complaint and Affidavit sworn to before me, and subscribed in my  
18 presence, the Court hereby finds that there is probable cause to believe the defendant  
19 committed the offense set forth in the Complaint.

20 DATED this 21<sup>st</sup> day of December, 2015.

21  
22   
23 BRIAN A. TSUCHIDA  
24 United States Magistrate Judge  
25  
26  
27  
28